

## REMARKS

### **I. Amendments to the Claims**

With this response, the Applicant has amended claims 1, 2, 6 and 7. Support for the amendments to claims 6 and 7 are found in the original claims, respectively.

### **II. 37 CFR 1.75(c)**

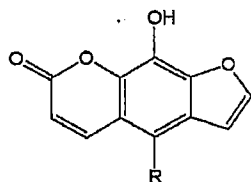
Claims 6 and 7 are objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. The Applicant has amended claims 6 and 7 as provide herein, to recite use claims in accordance with MPEP 2173.05(q).

### **III. 35 USC 102(b)**

Claims 1-2 and 5-7 are rejected under 35 USC 102(b) as being anticipated by the abstract of JP 2001131050. The Applicant disagrees as follows.

Both independent claims 1 and 2 as amended herein, recite in part:

*A composition...comprising...*



*wherein R is a methoxy group, or a 3-methyl-2-butenyl group.*

JP 2001131050 (JP '050) discloses the use of xanthoxol in a cosmetic lotion. In view of the fact that xanthoxol is produced only when the R in the formula above is

hydrogen, the claims as amended with this response do not anticipate the JP '050 reference. The JP '050 reference does not disclose, teach or suggest a compound having the formula recited, wherein R is a methoxy group or a 3-methyl-2-butenyl group. Accordingly, the compound of amended claims 1 and 2 is not anticipated by JP '050. At least by virtue of their dependency on claim 2, claims 5-7 are not anticipated by JP '050. The Applicant requests withdrawal of the rejection of claims 1-2 and 5-7 under 35 USC 102(b).

**IV. 35 USC 103(a) over JP 2001131050**

Claim 3 is rejected under 35 USC 103(a) as being unpatentable over JP 2001131050. The Applicant disagrees as follows.

Claim 3 recites:

*"The composition for external application to skin of claim 2, wherein the compounds represented by the chemical formula are included in the range of 0.000001 wt % to 10 wt % with respect to the entire composition."*

As stated above, JP 2001131050 (JP '050) discloses the use of xanthoxol in a cosmetic lotion, and xanthoxol is produced only when R in the formula shown in claim 2 is hydrogen. As amended, the recited formula, "R is a *methoxy group, or a 3-methyl-2-butenyl group*" is not rendered obvious by the xanthoxol taught by JP '050 because the reference itself does not suggest these recited groups, and these groups are not suggested to one skilled in the art when R is hydrogen. Thus, claim 2 is not obvious over JP '050, and at least by virtue of its dependency on claim 2, the Applicant

contends claim 3 is patentable over JP '050. The Examiner is requested to withdraw the rejection of claim 3 under 35 USC 103(a).

**V. Conclusion**

Applicant respectfully contends that all conditions of patentability are met in the pending claims as amended. All amendments herein are made without prejudice. The Examiner is respectfully requested to pass the application to issue.

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Reply to Office Action mailed August 9, 2007

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The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR §1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed, and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this paper (and any enclosure referred to in this paper) is being transmitted electronically to the United States Patent and Trademark Office on November 9, 2007.

Respectfully submitted,

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November 9, 2007  
(Date of Transmission)

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November 9, 2007  
(Date)